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VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

**Re: United States v. Cornell Neilly
21 Cr. 94 (VEC)**

Dear Judge Caproni,

I write regarding the motions schedules in the above-captioned case. Mr. Neilly filed a motion to dismiss, based on composition of the grand jury, on March 17 (Dkt. Nos. 17, 18). The Court ordered the government to respond by April 16 (Dkt. No. 19). We hereby request an opportunity to reply to the government's response within one week, i.e. by April 23, 2021.

Second, the Court set a deadline of April 15, 2021 for any Rule 12 motions, with any response due May 14, and any reply due June 3. See Dkt. No. 13. The Court also set a conference for May 6, 2021. Id. I respectfully request that the Court adjourn the deadlines in this paragraph and the date of the conference for approximately 30 days. The discovery in this case is voluminous and the logistical difficulties caused by the COVID-19 pandemic have slowed our review (including limited opportunities for Mr. Neilly to use a computer and the technological constraints of remote attorney consultations). In addition, counsel expects to be fully vaccinated and able to visit Mr. Neilly in person after April 14, and discuss the discovery and potential motions. The government, by Assistant United States Attorney Brandon Harper, has no objection to this request.

Should the Court adjourn the conference, Mr. Neilly consents to the exclusion of time under the Speedy Trial Act, for the reasons articulated above.

Thank you for your consideration.

Respectfully submitted,
/s/
Sylvie Levine
Counsel for Mr. Neilly

The Court has already set the deadline for Defendant's reply in further support of his motion to dismiss as April 30, 2021. *See* Dkt. 19. To the extent Defendant wishes to reply in advance of that deadline, he is free to do so.

The deadline for pretrial motions is extended to **May 17, 2021**. Responses to any pretrial motions are now due **June 15, 2021**, and replies are due **July 6, 2021**. The May 6, 2021 status conference is adjourned to **June 8, 2021, at 10:00 a.m.**

Pursuant to 18 U.S.C. § 3161(h)(1)(D), time is presently excluded under the Speedy Trial Act due to Defendant's pending motion to dismiss the indictment.

SO ORDERED.

 4/7/2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE